

1 STATE OF NEW MEXICO
2 BEFORE THE ENVIRONMENTAL IMPROVEMENT BOARD

3 IN THE MATTER OF:

4 PROPOSED NEW REGULATION

5 20.2.50

No. EIB 21-27 (R)

6 *Oil and Gas Sector – Ozone Precursor Pollutants*
7

8 **STORAGE VESSEL MEASUREMENT PROPOSAL**

9 The New Mexico Environmental Department signaled that parties are in general agreement
10 on the storage vessel measurement proposal advanced by the Environmental Defense Fund, Clean
11 Air Advocates, and others. To assist with the clear implementation of this proposal and signal the
12 New Mexico Oil and Gas Association's concerns with limited aspects, NMOGA hereby provides
13 the following language. The basis for these recommendations have been set forth in the testimony
14 of John Smitherman and Adam Meyer. We appreciate the Environmental Improvement Board's
15 consideration of this language.
16

17 **20.2.50.123 STORAGE VESSELS**

18 C. Storage Vessel Measurement Requirements

19 (1) Beginning one hundred and eighty days after the Effective Date, the owners and operators of storage
20 vessel tanks required to be controlled pursuant to this Part 50 controlled storage tanks at wellhead site production
21 facilities, gathering and boosting natural gas compressor stations, or natural gas processing plants constructed on or
22 after the effective date of this Part, and at any facilities that are modified on or after the effective date of this Part
23 such that an additional controlled storage vessel is constructed to receive an anticipated increase in throughput of
24 hydrocarbon liquids or produced water, must use a storage vessel measurement system to determine the quantity of
25 liquids in the storage vessel tank(s).

26 (2) Owners and operators subject to the storage vessel measurement system requirements in this Subsection
27 must keep thief hatches (or other access points to the vessel tank) and pressure relief devices on storage vessel tanks
28 closed and latched during activities to determine the quality and/or quantity of liquids in the storage vessel(s).
29 Nothing in this paragraph shall be construed to prohibit the opening of thief hatches, pressure relief devices, or any
30 other openings or access points to perform maintenance or similar activities designed to ensure the safety or proper
31 operation of the storage vessel(s) or related equipment or processes.

32 (3) Operators may inspect, test, and calibrate the storage vessel measurement system semiannually, or as
33 directed by the Bureau of Land Management (see 43 CFR Section 3174.6(b)(5)(ii)(B) (November 17, 2016)) or

1 system manufacturer. Opening the thief hatch if required to inspect, test, or calibrate the vessel measurement system
2 is not a violation of Paragraph (1) of this Subsection.

3 (4) The owner or operator must install signage at or near the storage vessel that indicates which equipment
4 and method(s) are used and the appropriate and necessary operating procedures for that system.

5 (5) The owner or operator must develop and implement an annual training program for employees and third
6 parties conducting activities subject to this Subsection that includes, at a minimum, operating procedures for each
7 type of system.

8 (6) Owner or operators must retain records for at least two (2) years and make such records available to the
9 department upon request, including:

10 (a) Date of construction of the storage vessel or facility;

11 (b) Description of the storage vessel measurement system used to comply with this Subsection;

12 (c) Date(s) of storage vessel measurement system inspections, testing, and calibrations that require opening
13 the thief hatch pursuant to Paragraph (3) of this Subsection;

14 (d) Manufacturer specifications regarding storage vessel measurement system inspections, and/or
15 calibrations, if followed pursuant to Paragraph (3) of this Subsection; and

16 (e) Records of the annual training program, including the date and names of persons trained.

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20 Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2021, a true and correct copy of the foregoing ***Storage Vessel Measurement Proposal*** was served via electronic mail to the following:

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